

AK-16-000-6101

JAY INSLEE
Governor



STATE OF WASHINGTON
Office of the Governor

March 18, 2016

The Honorable Gina McCarthy, Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator McCarthy:

We appreciate your call to strengthen the protection of our nation's drinking water and enhance transparency and accountability with respect to lead and copper testing. I share your concern for the healthy development of our kids, which requires protection from the many sources of toxics in our everyday lives. Our state has aggressively pursued programs that are not simply reactive to problems but also seek to find the sources of environmental contaminants, like lead, so they can be reduced or eliminated.

The Department of Health's Office of Drinking Water has had full authority and responsibility for implementation of the Safe Drinking Water Act (SDWA) in Washington State since 1976. As you know, our authority includes oversight of water quality standards, sampling, treatment, public notification requirements, operator certification requirements, system capacity and source water assessment and protection. DOH has worked closely with EPA Region 10 to implement the Lead and Copper Rule (LCR) since the program began in 1991. DOH staff have been very involved with EPA and other organizations in developing revisions to the rule including our recent participation in the Long-Term Revisions Working Group. We will continue to push for improvements to this rule and other ways to reduce lead exposure.

Your letter also references specific requests and recommendations that EPA is making to the states. We have started our review of those requests and already have much of what you ask for in place. With respect to transparency, DOH's website provides information on sampling requirements and procedures, health effects, public education and ways customers can reduce exposure. Our state also provides public access to lead and copper sample results on the internet.

I want to emphasize that I share your concern for protecting the public from exposure to lead and other toxics in our environment. We are looking to expand our blood lead screening program to ensure that we find those kids who are at risk. Finally, I will continue to push for efforts that broadly address toxics proactively at their source and so continue the tried and true public health paradigm that an ounce of prevention is worth a pound of cure.

We look forward to continuing our work with EPA, explaining our program activities and sharing ways to improve the Lead and Copper Rule at the state and federal levels.

Very truly yours,


Jay Inslee
Governor



AK-16-000-4396

Congress of the United States

Washington, DC 20510

February 9, 2019

The Honorable Gina McCarthy
Administrator
US Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

Dear Administrator McCarthy:

We write to express our concern over the lead contamination that has been reported in Chicago's drinking water and request the Environmental Protection Agency (EPA) use its full authority and resources to address the issue.

Recent articles in the *Chicago Tribune* and other news outlets have highlighted that legacy water infrastructure containing lead pipes has caused lead to contaminate the drinking water sources of homes across the county. In Chicago, a 2013 peer-reviewed EPA study published in the scientific journal *Environmental Science & Technology* reported the presence of elevated levels of lead in the drinking water of half the Chicago homes it tested. In addition, the study showed "the existing regulatory sampling protocol under the U.S. Lead and Copper Rule systematically misses the high lead levels and potential human exposure."

This is troubling as almost 80 percent of Chicago homes are connected to lead-containing pipelines and public health officials agree that there is no safe level of lead. Lead is a known neurotoxin that can cause irreversible brain damage, lower IQ scores, developmental delays, behavior issues, and even death.

The current tragedy in Flint, Michigan, is a startling example of what can happen when these issues go untreated. The EPA must not wait until another city faces a lead contamination water crisis before acting. As the 2013 study makes clear, the current Lead and Copper Rule protocols fail to effectively protect public health.

We urge EPA to swiftly review the effectiveness of the Lead and Copper Rule and propose any necessary revisions to better detect and prevent harmful contaminants in public water systems and establish a limit for lead in drinking water that is consistent with its health risks. We also urge the EPA to work with state and local officials to notify the public immediately when lead contamination has been found. Additionally, please identify what actions EPA has taken and identify any additional authorities the agency may need to fully address this problem. Your attention to this issue is critical as EPA is the last line of defense in safeguarding public drinking water.

Sincerely,

Handwritten signature of Richard J. Durbin in black ink.

Richard J. Durbin
United States Senator

Handwritten signature of Tammy Duckworth in black ink.

Tammy Duckworth
United States Representative



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 29 2016

OFFICE OF WATER

The Honorable Richard J. Durbin
United States Senate
Washington, D.C. 20510

Dear Senator Durbin:

Thank you for your February 9, 2016, letter regarding lead in drinking water and the U.S. Environmental Protection Agency's Lead and Copper Rule. There is no higher priority for the EPA than protecting public health and ensuring the safety of our nation's drinking water. The agency remains fully committed to ensuring that Flint's drinking water system is restored to proper functioning as quickly as possible. We are also committed to improving the public health protections provided by the Lead and Copper Rule.

Under the Safe Drinking Water Act, most states have primary responsibility for implementation and enforcement of the LCR and other drinking water regulations, while the EPA is tasked with oversight of state efforts. In light of concerns raised by recent events in Flint, the EPA is increasing oversight of state programs to identify and address any deficiencies in implementation of the LCR. EPA staff are meeting with every state drinking water program across the country to ensure that states are taking appropriate actions to address lead action level exceedances, including optimizing corrosion control, providing effective public health communication and outreach to residents on steps to reduce exposures to lead, and removing lead service lines where required by the LCR.

In addition, Administrator McCarthy recently sent letters to the governors of all states with primacy authority under SDWA calling on them to take proactive steps to ensure proper implementation of the LCR. I sent concurrent letters to the environmental or public health commissioners in these states, outlining specific steps to this end, including: confirming use of relevant EPA guidance, improved transparency and accountability with regard to lead sampling and related issues, and proactive steps to provide residents with earlier and better information on lead sampling and risks associated with lead in drinking water.

We are also actively working on revisions to the LCR. In December 2015, the agency received extensive recommendations from our National Drinking Water Advisory Council and other concerned stakeholders. We are carefully evaluating this input and national experience in implementing the current rule – including the events in Flint – to develop proposed improvements. Our current expectation is that revisions to the rule will be proposed in 2017.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Cathy Davis in the EPA's Office of Congressional and Intergovernmental Relations at Davis.CatherineM@epa.gov or (202) 564-2703.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Beauvais", written in a cursive style.

Joel Beauvais
Deputy Assistant Administrator